



**SAN MARCOS PLANNING & ZONING COMMISSION  
ACTION AGENDA  
May 14, 2013 REGULAR MEETING**

<b>Agenda #</b>		<b>Action or Direction</b>
<b>1</b>	Call to Order	
<b>2</b>	Roll Call	Commissioner Seebeck was absent
<b>3</b>	Chairperson's Opening Remarks	
	NOTE: The Planning and Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session.	
<b>4</b>	Presentation, Discussion and Possible Action Regarding Planning and Zoning Commission Retreat held on May 8, 2013, including goal setting.	Commissioner Morris gave a presentation on the retreat and the Commission approved the general goals drafted during the work sessions.
<b>5</b>	Receive an update from staff regarding status of petitions related to the Windemere project (ZC-13-05, LUA-12-09, ZC-12-14, and PDD-12-03) located at Lime Kiln Road and Windemere Road.	John Foreman informed the Commission that all applications for the Windemere project have been withdrawn.
<b>6</b>	30 Minute Citizen Comment Period	<ol style="list-style-type: none"> <li>1. David Wendel</li> <li>2. Don Eyssen</li> <li>3. Eric Ross</li> <li>4. Sherwood Bishop</li> <li>5. Leila Ramos</li> <li>6. Ted Breihan</li> </ol>
<b>7</b>	<b><u>Consent Agenda</u></b>  Consider the approval of the minutes of the Regular Meeting on April 23, 2013.	Approved on consent 8-0.
<b>8</b>	<b>PC-04-10(01I) (Cottonwood Creek Master Plan)</b> Consider a request by Ramsey Engineering, LLC, on behalf of Cottonwood	Approved on consent 8-0.

	Creek JDR, LTD., for consent to a one-year extension of the Master Plan of the Cottonwood Creek subdivision, consisting of approximately 471.97 acres at the intersection of State Highway 123 and Monterrey Oak, San Marcos, Texas	
9	<p><b><u>Public Hearing</u></b></p> <p><b>CUP 13-10 (Rio Vista Food Trailer Court)</b> Hold a public hearing and consider a request by Hilda Gomez, on behalf of Alfredo Lamas Leal, for a new Conditional Use Permit to allow portable food facilities at 413 Riverside Drive.</p>	<p>Public Hearing:</p> <ol style="list-style-type: none"> <li>1. Hilda Gomez</li> <li>2. Anissa Castello</li> <li>3. Lena Tolbert</li> <li>4. Jodi Mann</li> <li>5. Ana Mendoza</li> <li>6. Scott Morris</li> <li>7. Rosemary Zuniga</li> <li>8. Mary Collins</li> </ol> <p>Approved 8-0 with the following conditions:</p> <ol style="list-style-type: none"> <li>1) Permit shall be valid for 1 year</li> <li>2) The hours of operation shall be limited to 9:00 am to 9:00 pm, Sunday through Saturday;</li> <li>3) No portable food vendor shall be placed within 50 feet of the property line of 902 sycamore street</li> <li>4) No more than 2 trailers may be located on the site without first amending the CUP</li> <li>5) The only entrance to the property must be on Riverside Drive</li> <li>6) A fence be built along the property line until vegetation grows significantly.</li> <li>7) Adequate trash cans be placed at each pedestrian entrance.</li> </ol>
10	<p><b>CUP-13-12 (The Rooftop on the Square)</b> Hold a public hearing and consider a request by Brandon Cash, on behalf of The Rooftop on the Square, for renewal of an existing Restricted Conditional Use Permit to allow the continued sale of mixed beverages for on-premise consumption at 126 South Guadalupe</p>	<p>Public Hearing:</p> <ol style="list-style-type: none"> <li>1. Scott Withers</li> <li>2. Brandon Cash</li> <li>3. H.C. Kyle</li> </ol> <p>Approved 5-3 with the following conditions:</p> <ol style="list-style-type: none"> <li>1) Permit shall be valid for 3 months</li> <li>2) All requirements of Section 4.3.4.2 shall be met</li> <li>3) No live music and no speakers in the outdoor patio areas highlighted in exhibit A</li> <li>4) All exterior doors must be maintained in an automatically assisted closed position</li> <li>5) If any points are issued to the establishment during the approval period, the revocation process will</li> </ol>

		be initiated
11	<b>CUP-13-13 (216 North Street)</b> Hold a public hearing and consider a request by Chase Katz, on behalf of North Street Development Inc., for a new Conditional Use Permit to allow the sale of beer and wine for on-premise consumption at 216 North Street.	<p>Public Hearing:</p> <ol style="list-style-type: none"> <li>1. Ben Ackerman</li> <li>2. Kat Tracy</li> <li>3. Don Eyssen</li> <li>4. Berry James</li> <li>5. Jane Hughson</li> <li>6. Dianne Wassenich</li> <li>7. Melissa Derrick</li> <li>8. Kathy Dillon</li> <li>9. John McGlothlin</li> </ol> <p>Postponed until May 28<sup>th</sup> with a vote of 7-1. Provided direction to bring more clarification on business plan.</p>
12	<b>CUP-13-14 (1127 W. San Antonio)</b> Hold a public hearing and consider a request by Clarke and Monica Hammond for a Conditional Use Permit to allow an accessory dwelling unit at 1127 W. San Antonio.	<p>Public Hearing:</p> <p>No one spoke</p> <p>Approved 8-0 with the following conditions:</p> <ol style="list-style-type: none"> <li>1. The accessory dwelling unit shall not be rented separately from the main residence;</li> <li>2. The single-family occupancy restriction applies to the entire property; and</li> <li>3. There shall be no separate utility meters.</li> </ol>
13	<b>A-13-02 (1127 W. San Antonio)</b> Hold a public hearing and consider a request by Clarke and Monica Hammond to abandon a 20' by 84.25' portion of an alley between Wilson Street and Johnson Street.	<p>Public Hearing:</p> <p>No one spoke</p> <p>Approved 5-3 as submitted.</p>
14	<b>A-13-01 (Sessom Drive Multifamily Community-Loquat Street, a/k/a Pecan Street, Locust Street and Peachtree Street)</b> Hold a public hearing and consider a request by ETR Development Consulting, L.L.C., on behalf of Darren Casey Interests, to abandon streets and alleys in the Park Addition, First and Second Division, as follows: a 16 foot alley between lots 43 and 50 to the north and lots 41, 42, 51 and 52 to the south from Sessom Drive to Peachtree Street; a 16 foot alley between lots 39, 53, 56 and 61 to the north and lots 38, 54, 57 and 60 to the south from Sessom Drive to the northwest boundary of said Park Addition; Locust Street from Loquat Street (a/k/a Pecan Street) to the northeast corner of lot 50; Loquat	<p>Public Hearing:</p> <p><u>For:</u></p> <ol style="list-style-type: none"> <li>1. Ed Theriot</li> </ol> <p><u>Against:</u></p> <ol style="list-style-type: none"> <li>1. Dianne Wassenich</li> <li>2. Dell Hood</li> <li>3. Larry Mock</li> <li>4. Sally Ploeger</li> <li>5. Jay Heibert</li> <li>6. Don Eyssen</li> </ol> <p>Motion to table action on the abandonment until the May 28<sup>th</sup> meeting was approved 5-2.</p> <p>Commissioner Morris recused himself from the dais.</p>

	(a/k/a Pecan) Street from Sessom Drive to Peachtree Street; and Peachtree Street from the southeast corner of lot 63 to the northwest corner of lot 50.	
15	<b>LUA-13-01 (Sessom Drive Multifamily Community)</b> Hold a public hearing and discuss a request by ETR Development Consulting, L.L.C., on behalf of Darren Casey Interests, Flo Wilks, Harriett Rainey, Christian and Diana Espiritu, Everette and Donna Swinney, and Buck Scheib, for an amendment to the Future Land Use Map from Low Density Residential (LDR) to Mixed Use (MU) for approximately 9.5 acres of land out of the Park Addition, First and Second Division, located at Sessom Drive at Loquat Street (a/k/a Pecan Street).	See Item 17.
16	<b>ZC-13-03 (Sessom Drive Multifamily Community)</b> Hold a public hearing and discuss a request by ETR Development Consulting, L.L.C., on behalf of Darren Casey Interests, Flo Wilks, Harriett Rainey, Christian and Diana Espiritu, Everette and Donna Swinney, and Buck Scheib, for an amendment to the Zoning Map from Single-Family Residential (SF-6) to Vertical Mixed Use (VMU) for approximately 9.5 acres of land out of the Park Addition, First and Second Division, located at Sessom Drive at Loquat Street (a/k/a Pecan Street).	See Item 17.
17	<b>PDD-13-01 (Sessom Drive Multifamily Community)</b> Hold a public hearing and discuss a request by ETR Development Consulting, L.L.C., on behalf of Darren Casey Interests, Flo Wilks, Harriett Rainey, Christian and Diana Espiritu, Everette and Donna Swinney and Buck Scheib, for a PDD overlay district, with a base zoning of Vertical Mixed Use (VMU) for approximately 9.5 acres out of the Park Addition, First and Second Division, located at Sessom Drive at Loquat Street (a/k/a Pecan Street)	Public Hearing:  <u>For:</u> 1. Darren Casey 2. Brian Van De Walle 3. Landon Bullard 4. Dave Rasco 5. Melissa Jewett 6. Jeff Jewett 7. Jim Keith 8. Nathan McDaniel 9. Nick Rizzolo 10. Patrick Rose 11. Pam Couch 12. Brett Baker 13. Ed Theriot  <u>Against:</u> 1. Larry Mock 2. Dianne Wassenich

		<p>3. Betsy Robertson  4. Dale Hood  5. Jill Keith  6. Don Eyssen  7. Andrew S.  8. Vincent Debrock  9. David Sergi  10. Linda Hopson  11. Jim Garber  12. Jay Heibert  13. Lisa Prewitt  14. Sally Ploeger  15. Cory Schwartz  16. Paul Murray  17. David Wendel  18. Jane Flemming  19. Sherwood Bishop  20. Nancy Moore</p> <p>The item was on the agenda for discussion only. Action on this item will take place at the May 28<sup>th</sup> meeting.</p> <p>Commissioner Morris recused himself from the dais.</p>
18	<p><b><u>Non-Consent</u></b></p> <p>Development Services Report  a. Update from staff on implementation of Vision San Marcos.</p>	<p>Matthew Lewis advised the Commission that staff would email the Commission the update.</p>
19	<p>Question and Answer Session with Press and Public. This is an opportunity for the Press and Public to ask questions related to items on this agenda</p>	<p>There were no questions from the public.</p>
20	<p>Adjournment.</p>	<p>Meeting adjourned at 12:44 a.m.</p>